



San Diego City Attorney CASEY GWINN

NEWS RELEASE

FOR IMMEDIATE RELEASE

CONTACT: Maria Velasquez
619.235.5725 (pager & voicemail)
Colleen Rudy
Mayor's Press Secretary
619.236.7060

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MAYOR AND CITY ATTORNEY TAKE ON CHARGERS' LAWSUIT

San Diego – Mayor Dick Murphy and City Attorney Casey Gwinn today expressed outrage regarding the frivolous lawsuit which was secretly filed yesterday by the San Diego Chargers in Los Angeles Superior Court. They said they will protect the taxpayers of San Diego. The legal action requests that a court determine whether the Chargers can trigger the lease's renegotiation clause.

"I am appalled by the Chargers filing this lawsuit. The Chargers have once again shown a complete disregard for the people of San Diego," said Mayor Murphy. "During a time when the city is facing some of its most difficult challenges in recent history, from budget issues to recovering from one of the worst natural disasters in California history, the Chargers decided it was in THEIR best interest to file a lawsuit against the city and the people of San Diego."

"On behalf of the taxpayers and the fans, the city is completely prepared to fight this lawsuit and force the Chargers to honor their lease," said City Attorney Gwinn. "The Chargers' lawsuit is clear evidence they are acting in bad faith in these negotiations. The city and Chargers agreed to extend the negotiating period to May 1, 2004. We are surprised that Chargers would file a lawsuit against the city while the city is negotiating in good faith. We are also surprised by the fact that the Chargers decided to file a lawsuit during Thanksgiving weekend; apparently thinking that the city would not be prepared. The city is prepared."

At this time, the city will not be discussing its legal strategy; however, it will oppose Los Angeles as a venue because this decision should be made by a jury of San Diegans. The following issues were outlined at the news conference:

1. The city has not wavered from its original position – to keep the Chargers in San Diego in a fiscally responsible way.
2. The trigger is not the issue, as the Chargers would have the public believe. The trigger is intended to get the parties to the negotiating table. The city has been negotiating and is willing to continue to negotiate.

3. The Chargers say they want a new stadium but they appear to be interested only in terminating the lease early and, as the Los Angeles Times reported, becoming a “free agent.” The city agrees with the Chargers that we have not made progress – but it’s because all the Chargers’ want to do is terminate the lease early.
4. The Chargers have not made an offer that is good for the people of San Diego – no deal is better than a bad deal.
5. The city will not agree to binding arbitration because it will compromise the city’s legal position.

City Attorney Gwinn said, “Let’s be clear about what the Chargers want – to move to Los Angeles and make more money. Don’t insult the intelligence of the fans and the taxpayers by telling us you want to stay and then sue the taxpayers for the right to leave.”

Mayor Murphy also stated, “We will be working over the Thanksgiving holiday to discuss our legal strategy. We will also be meeting with the City Council next Monday to discuss our long-term strategy and we will respond accordingly. We will act at the appropriate time. We will contest this vigorously and defend the taxpayers of San Diego.”

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